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Referred: Health, Education
& Social Services

1 IN THE SENATE

BY BENNETT /

2 SENATE JOINT RESOLUTION NO. 27

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 Urging Congress to return to the
6 states the right to regulate mines
7 with respect to safety and health
8 standards.

9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 WHEREAS the legislature recognizes the ongoing importance of the mining
11 industry to the State of Alaska, as well as to the entire nation; and

12 WHEREAS the existence of the small mine operator, who plays an important
13 part in the mining industry, is endangered by the impact of the Federal Mine
14 Safety and Health Act of 1977 (P.L. 95-164); and

15 WHEREAS that Act defines a mine, in part, as any area of land from which
16 any minerals are extracted in nonliquid form, both on the surface and under-
17 ground, including the lands, excavations, and other property used in the work
18 of extracting those minerals, which definition covers not only the commonly
19 thought of mining activities such as coal, silver, and molybdenum operations
20 but also includes activities such as sand and gravel excavation; and

21 WHEREAS that Act has caused a further erosion of basic states' rights by
22 excluding any participation by a state in the regulation and inspection of
23 mines with respect to safety and health standards; and

24 WHEREAS there are distinct differences in mining operations across the
25 nation which are best understood and regulated on a state level rather than
26 on the national level through national legislation which is often inflexible
27 or incompatible with state needs and conditions; and

28 WHEREAS the right of a state to develop its own regulatory program and
29 to perform its own inspections of mines relating to safety and health

1 standards should be preserved; and

2 WHEREAS mining industry accident statistics have shown significant
3 improvement under cooperative programs with state agencies, private industry,
4 and labor;

5 BE IT RESOLVED that the Alaska State Legislature urges the Congress of
6 the United States to enact legislation which would return to the states the
7 right to regulate mines with respect to mine safety and health standards.

8 COPIES of this resolution shall be sent to the Honorable Jimmy Carter,
9 President of the United States; to the Honorable Warren G. Magnuson,
10 President Pro Tempore of the United States Senate; to the Honorable Thomas P.
11 O'Neill, Jr., the Speaker of the United States House of Representatives; to
12 the Honorable Ted Stevens and the Honorable Mike Gravel, U. S. Senators, and
13 the Honorable Don Young, U. S. Representative, members of the Alaska delega-
14 tion in Congress; and to the President of the Senate and Speaker of the House
15 of Representatives of each of the States of Arizona, California, Colorado,
16 Hawaii, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota,
17 Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.

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